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1 JEFFREY M. VETTER
2 CHAPTER 7 TRUSTEE
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IN THE UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF CALIFORNIA

In re:

SULLIVAN CONSTRUCTION
SERVICES, INC.

Debtor(s).

Case No: 10-15344-A-7

Chapter 7

DC No. JMV-2

APPLICATION FOR ORDER
AUTHORIZING TRUSTEE TO
SELL PERSONAL PROPERTY AT
PUBLIC AUCTION

Date: September 21, 2010

Time: 1:30 p.m.

Place: U.S. Bankruptcy Court
1300 18th Street, Suite A
Bakersfield, California

Judge: Whitney Rimel

By way of the *Application for Order Authorizing Trustee to Sell Personal Property at
Public Auction Sale*, Jeffrey M. Vetter, Chapter 7 Trustee, respectfully represents:

1. Sullivan Construction Services, Inc. ("Debtor") filed for relief under Chapter 7 on
May 14, 2010. Jeffrey M. Vetter ("Trustee"), is the duly qualified, appointed, and acting trustee
in the Chapter 7 case filed by Debtors.

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1 2. The assets of the estate include several pieces of equipment from five separate
2 office locations and a warehouse ("Personal Property"), which the Trustee desires to sell at
3 auction. An inventory of the items to be sold is attached as Exhibit "A" to the *Exhibits in*
4 *Support of Application For Order Authorizing Trustee To Sell Personal Property at Public*
5 *Auction.*

6 4. The trustee must liquidate the Personal Property for the benefit of the creditors.
7 Based on the Trustee's experience, the Trustee believes that he will obtain the best and highest
8 net recovery to this estate by selling the Personal Property at a public auction through the
9 employment and services of a licensed auctioneer.

10 5. The Trustee entered in to an agreement with Jerry Gould of Gould Auction and
11 Appraisal Company ("Auctioneer") to advertise, manage, and conduct the auction. Jerry Gould
12 is the owner and operator of Gould Auction & Appraisal Company and is authorized to review
13 this application and agree to the terms and conditions contained herein. The date for the public
14 auction sale is October 23, 2010, and will be held at 1731 Arts Street, Bakersfield, California.

15 6. The Trustee filed a separate Application of Trustee for Order Authorizing
16 Employment of Auctioneer, which describes in detail the proposed compensation to be paid to
17 Auctioneer. In summary, the Trustee proposes that the fees for professional services rendered by
18 Auctioneer will not exceed 15% of the gross proceeds of the suction plus a one-time
19 reimbursement of \$1000.00 for the pick up an storage of the Personal Property. Additionally,
20 Auctioneer may be reimbursed up to \$100.00 or extraordinary expenses he incurs for repair of
21 the Personal Property to ready it for sale.

22 7. The Trustee believes that a sale of the Personal Property at public auction is in the
23 best interest of the estate because (a) it would be inefficient for the Trustee to search for buyers;
24 (b) it allows the Trustee to liquidate all the Personal Property in a short period of time.

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1 WHEREFORE, Trustee prays that:


2 1. the *Application for Order Authorizing Trustee to Sell Personal Property at Public*
3 *Auction* filed by Jeffrey M. Vetter, Chapter 7 Trustee be granted;

4 2. the Trustee be authorized to sell the Personal Property of the estate described in
5 Exhibit "A" attached hereto at public auction sale;

6 3. the Trustee be authorized to pay Gould Auction and Appraisal Company from the
7 proceeds received from the auction pursuant to the terms and conditions set forth in the *Order*
8 *Authorizing Employment of Auctioneer to Conduct Public Auction*;

9 4. The Trustee is given such other relief as the Court deems just and proper.

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11 Executed this 23 day of August, 2010 at Bakersfield, California.

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14 /s/ 
15 Jeffrey M. Vetter
Chapter 7 Trustee

16 E-Filed by: Jeffery M. Vetter
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